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ON GOVERNMENT
OPERATIONS**

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Sen. Thelma M. Harper, Vice Chair
Sen. Ophelia Ford, Secretary
Sen. Tim Barnes
Sen. Dewayne Bunch
Sen. Rusty Crowe
Sen. Paul Stanley
Sen. Reginald Tate
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**STATE OF TENNESSEE
GENERAL ASSEMBLY
NASHVILLE**

**HOUSE COMMITTEE
ON GOVERNMENT
OPERATIONS**

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Rep. Gary Odom
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April 14, 2009

MEMORANDUM

TO: The Honorable Jack Johnson, Chair
Senate Government Operations Committee

The Honorable Susan M. Lynn, Chair
House Government Operations Committee

FROM: Representative G. A. Hardaway, Chair
Joint Government Operations Subcommittee on
Commerce, Labor, and Transportation

SUBJECT: Subcommittee recommendations on the following entities:

**Department of Labor and Workforce Development
Board of Boiler Rules
Elevator Safety Board
Board of Employee Assistance Professionals
Department of Labor and Workforce Development Board of Review
Medical Care and Cost Containment Committee
Occupational Safety and Health Review Commission
Occupational Safety and Health Administration Labor Advisory Council
Prevailing Wage Commission
Unemployment Compensation Advisory Council
Advisory Council on Workers' Compensation**

The joint subcommittee on Commerce, Labor, and Transportation met at 1:00 p.m. on April 13, 2009, in a Sunset public hearing to review the activities of the above entities. The following subcommittee members were present:

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Senators

Reginald Tate, Vice Chair
Dewayne Bunch

Representatives

G.A. Hardaway, Chair
Glen Casada
Lois DeBerry

Senator Jack Johnson, Chair, Senate Government Operations Committee, and Representative Susan M. Lynn, Chair, and Representative Barbara Cooper, member, House Government Operations Committee also attended.

Voting separately by house, the subcommittee made the following, identical recommendations:

- To continue the Department of Labor and Workforce Development, the Board of Boiler Rules, the Elevator Safety Board, the Board of Employee Assistance Professionals, the Department of Labor and Workforce Development Board of Review, the Medical Care and Cost Containment Committee, the Occupational Safety and Health Review Commission, the Occupational Safety and Health Administration Labor Advisory Council, the Prevailing Wage Commission, the Unemployment Compensation Advisory Council, and the Advisory Council on Workers' Compensation for 2 years and that the entities return to the subcommittee in one year to update the subcommittee on their progress in responding to the audit findings and other changes in processes and procedures discussed at this hearing. No new audit work will be required at this time. Ms. Nichole Curtiss and Mr. David Wright, Performance Auditors, Division of State Audit, presented the audit of the department and related entities. Response to the audit, and to questions from the committee, was made by the Honorable James Neely, Commissioner, and Ms. Robbie A. Hunter, Director, Internal Audit, Department of Labor and Workforce Development. Mr. Don Ingram, Administrator, Employment Security Division, Department of Labor and Workforce Development, also answered questions from the subcommittee.

No member of the public spoke.

Division of State Audit staff present for the meeting were Ms. Deborah Loveless, Assistant Director; Ms. Dena Winningham, Performance Audit Manager; Mr. Vincent Finamore, Performance Auditor; Mr. Philip DeBusk, Legislative Liaison; and Dr. Frank Bell, Administrative Staff

The hearing was taped.

/pmd

cc: All members, Government Operations Committees

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Mr. Fred Standbrook
Mr. Doug Garrett
Mr. David Sprouse
Office of Legal Services

Ms. Catherine Haire, Senate Research Analyst

Ms. Amber Rice, House Research Analyst

Honorable James Neely, Commissioner
Ms. Robbie A. Hunter, Director, Internal Audit
Mr. Don Ingram, Administrator, Employment Security
Department of Labor and Workforce Development